

the Food and Drugs Act, as amended. The article was labeled in part: "Celebrated Curative Wine of Chenstohow. Those who suffer with general debility, loss of strength or appetite, indigestion, constipation, piles, pains, etc., should use the Curative Wine of Chenstohow * * *."

Analysis of a sample of the product from a previous shipment had shown that it consisted essentially of alcohol, extract from a laxative plant drug, small amounts of mineral salts, and glycerin, sugar, and water.

Misbranding of the article was alleged in substance in the amended libel for the reason that the statements borne on the labels on the bottles and on the wrappers were false and fraudulent in that they represented that the article would produce certain therapeutic effects as claimed for it on said labels and wrappers, whereas, in truth and in fact, the article would not produce the therapeutic effects as claimed in said wrappers and labels.

On December 18, 1918, A. Skarzynski & Co., Buffalo, N. Y., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$600, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6932. Misbranding of Wine of Chenstohow. U. S. * * * v. 13 Cases of Wine of Chenstohow. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8872. I. S. No. 4454-p. S. No. E-996.)

On March 18, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 24, 1918, an amended libel, praying the seizure and condemnation of 13 cases, each containing 24 packages of Wine of Chenstohow, at Jersey City, N. J., alleging that the article had been shipped on or about February 13, 1918, by A. Skarzynski & Co., Buffalo, N. Y., and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Celebrated Wine of Chenstohow Medicinal Compound."

Analysis of a sample of the product from a previous shipment had shown that it consisted essentially of alcohol, extract from a laxative plant drug, small amounts of mineral salts, and glycerin, sugar and water.

Misbranding of the article was alleged in the amended libel for the reason that the product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the bottle and wrapper. Misbranding of the article was alleged for the further reason that the statement borne on the label and on the wrapper, to wit, "Those who suffer with general debility, loss of strength or appetite, indigestion, anemia, headache, insomnia, constipation, etc., who use the curative Wine of Chenstohow and they will positively recover," was false and fraudulent in that it represented that the article would positively benefit and cure those suffering from "general debility, loss of strength or appetite, indigestion, anemia, headache, insomnia, constipation, etc.," whereas, in truth and in fact, the article would not produce

the therapeutic effects claimed for it, and would not cure those suffering from general debility, loss of strength or appetite, indigestion, insomnia, headache, anemia, constipation, etc.

On December 18, 1918, the said A. Skarzynski & Co., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$350, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6933. Misbranding of National Hog Cholera Preventive Compound. U. S. * * * v. 12 Cartons of National Hog Cholera Preventive Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9124. I. S. No. 4882-p. S. No. E-1063.)

On July 2, 1918, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on August 23, 1918, an amended libel, praying the seizure and condemnation of 12 cartons of National Hog Cholera Preventive Compound, remaining unsold in the original unbroken packages at Columbus, Ga., alleging that the article had been shipped on or about December 7, 1917, by the National Hog Cholera Preventive Co., Raleigh, N. C., and transported from the State of North Carolina into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "National Hog Cholera Preventive Compound. * * * Prevent the hog cholera. * * * Usually brings the disease under control in 3 to 5 days."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product was composed essentially of charcoal, ground flaxseed, salt, sodium thiosulphate, copperas, sulphur, lime, antimony sulphid, and sodium sulphate.

Misbranding of the article was alleged in substance in the libel and amended libel for the reason that the above-quoted statements borne on the label and included in the circulars accompanying the article, regarding the preventive, therapeutic, and curative effects thereof, were false and fraudulent in that the article was sold essentially as a preventive of hog cholera, and said statements were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof, and to cause in the mind of the purchaser thereof, the impression and belief that the article was in whole or in part composed of, and contained ingredients or medicinal agents effective, among other things, as a preventive of and remedy for hog cholera, whereas, in truth and in fact, the article did not contain ingredients or a combination of ingredients capable of producing the therapeutic and preventive effects claimed for it, and it was not in whole or in part composed of, and did not contain ingredients or medicinal agents effective, among other things, as a preventive of or remedy for hog cholera.

On February 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*